

Vulcan appealing ruling that blocked quarry in Comal County

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Sabrina Houser Amaya speaks during the Friends of Dry Comal Creek community awareness meeting held Thursday Oct. 5, 2017 at the Bulverde-Spring Branch Activity Center in Bulverde, TX. The meeting was on Vulcan Materials Company's application for an air quality permit from the Texas Commission on Environmental Quality (TCEQ), for a rock crushing quarry at the intersection of Highway 46 and FM 3009 in Comal County.

Edward A. Ornelas, Staff / San Antonio Express-News

Alabama-based Vulcan Construction Materials LLC is appealing a Texas judge's decision in March that blocked its proposed quarry north of San Antonio.

The site in Comal County is near a number of new country subdivisions sprinkled among the rolling hills of live oak and ash juniper trees. It is less than 10 miles from the Bracken Bat Cave, home to the world's largest colony of Mexican freetail bats, and about 3 miles from Natural Bridge Caverns.

Neighbors say the quarry would harm the environment and their quality of life. They have waged a legal battle against it for more than four years.

The Third Court of Appeals in Austin said in a court filing that Vulcan has decided to appeal the ruling by state District Judge Maya Guerra Gamble of Travis County. The judge in March threw out a prior decision by the Texas Commission on Environmental Quality, saying the regulatory agency acted arbitrarily or capriciously in granting an air quality permit to Vulcan.

The permit applies only to discharges generated by an 800-ton per hour rock crusher Vulcan intends to operate at the site at the corner of Texas 46 and FM 3009. It is rare for TCEQ to be overturned. The judge's ruling temporarily stalled Vulcan's plans for the proposed 1,500-acre limestone quarry.

Messages seeking comment were left by phone and email with Vulcan on Monday.

A coalition of the community's residents, known as Friends of Dry Comal Creek, Stop 3009 Vulcan Quarry and Preserve Our Hill Country Environment, along with the Comal Independent School District, has opposed the quarry.

The neighbors are concerned about air pollution, water supply and quality, truck traffic, destruction of caves, and decreased property values that could result from the industrial quarry in a residential area populated by more than 12,000 people.

The quarry would stretch about three miles over the Edwards Aquifer Recharge Zone, the principal water source for communities that include San Antonio and New Braunfels.

"While Vulcan's motivations seem transparent, it's a bit puzzling that TCEQ is spending taxpayer dollars and agency resources ostensibly supporting an out-of-state corporation, and in visible opposition to hundreds of Texans they are supposed to protect," David Drewa, a spokesman for Stop 3009 Vulcan Quarry, said in a statement.